

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI**

**IN RE: SPECIAL ORDER OF
CONTINUANCE OF CRIMINAL
TRIALS AND OTHER HEARINGS
SCHEDULED FOR SEPTEMBER, 2005**

The United States District Court for the Southern District of Mississippi currently is faced with an unprecedented emergency due to the aftermath created by Hurricane Katrina which made landfall in south Mississippi on or about Monday, August 29, 2005. Hurricane Katrina visited catastrophic damage to most of the counties included within the Southern District. The Gulfport Courthouse has suffered serious water damage. The Hattiesburg Courthouse is without electricity and water. Most of the federal judges who handle the criminal and civil caseloads in the Hattiesburg/Gulfport Courthouses have lost their homes and private possessions. The court's computer services are down. The court's telephone services have been compromised. The staffs of the Judges, Clerk's Office, Bankruptcy Court, Probation Office, United States Attorney's Office and Public Defender Office have all been affected by this tragedy. The United States Marshal's Service has stretched the efforts of its staff to assist court personnel, to protect the courthouses, to transport prisoners and to assist other law enforcement officers in maintaining law and order in the affected areas.

This natural disaster additionally has impacted members of the Bar who practice before the court. Attorneys have lost their homes and found their staffs scattered. Private law offices in Gulfport and along the Mississippi Gulf Coast either

have been totally destroyed or have been rendered so substantially damaged to be unusable.

Hurricane Katrina's reach has stretched across the entire Southern District. The Jackson Division of the Southern District of Mississippi, approximately 140 miles from the Coast, the Southern Division, and approximately 90 miles from the Hattiesburg Division, has also been tremendously impacted. Telephone and computer services have been adversely affected, a consequence which prevents the court from communicating with many attorneys who have business before the court and from communicating with potential jurors to notify them when to appear for jury selection.

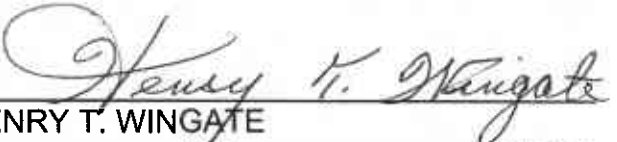
Consequently, this court, on its own motion, is ordering a continuance of all criminal trial and criminal hearings currently set before this court in the Hattiesburg Division for any day during the month of September, 2005. This court finds that, pursuant to 18 U.S.C. § 3161(h)(8))A) and (B), this court has the authority to continue these matters on its own motion. The court further finds that the ends of justice are best served in taking this action and that taking such action outweighs the best interest of the public and the defendant in a speedy trial. The court further finds that failing to issue this continuance would likely make a continuation of the proceedings impossible and would result in a miscarriage of justice. Failure to grant this continuance would also unreasonably deny the affected defendants and the Government continuity of counsel and would deny both counsel for the defendant and the Government the reasonable time necessary for effective preparation, taking into account due diligence.

IT IS THEREFORE ORDERED that the following listed criminal cases and/or hearings are hereby continued until further order of this court.

U.S. v. Larry Charles Campbell	2:05cr22KS-JMR
U.S. v. Heriberto Rodriguez-Flores	2:05cr21KS-JMR
U.S. v. David Angelo Watts	2:05cr23KS-JMR
U.S. v. Robert Silvas, Jr.	2:05cr24KS-JMR
U.S. v. Ernest Charles Dent	2:05cr19KS-RHW
U.S. v. Gary Milsap	2:05cr18KS-RHW
U.S. v. Eustace Browne, et al.	2:05cr5KS-RHW
U.S. v. Jeffrey S. Jackson	2:05cr4KS-RHW
U.S. v. Margarito Salinas-Ybarra	2:04cr27Br-Ro
U.S. v. David T. Warner, et al.	2:04cr22KS-JMR
U.S. v. James Richard Clark, et al.	2:05cr14KS-RHW
U.S. v. Stephen Turner	2:04cr7PRO
U.S. v. Victor Gomez, et al.	2:03cr41KS-JMR
U.S. v. David T. Warner	2:04cr19KS-JMR
U.S. v. Gary M. Stewart	2:05cr20KS-RHW
U.S. v. Charles Walker	2:05cr16KS-RHW

IT IS FURTHER ORDERED that the Clerk of Court shall docket this Order in each of the above listed cases and place a copy of this Order in the Criminal file of each case.

SO ORDERED, this the 2nd day of September, 2005.


HENRY T. WINGATE
CHIEF UNITED STATES DISTRICT JUDGE